

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ANDREW COBERN, NICOLE
CATHEY, TIMOTHY FARR, KENNETH FARR,
and SHAWN COBERN, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MELISSA MARIE COBERN,

Respondent-Appellant,

and

TIMOTHY CHARLES FARR II and
CRAIG BRYCE SCHULTZ,

Respondents.

In the Matter of TIMOTHY FARR III and
KENNETH FARR, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

TIMOTHY FARR II,

Respondent-Appellant,

and

UNPUBLISHED

May 20, 2008

No. 281779

Jackson Circuit Court

Family Division

LC No. 04-001993-NA

No. 281780

Jackson Circuit Court

Family Division

LC No. 04-001993-NA

MELISSA MARIE COBERN,

Respondents.

Before: Donofrio, P.J., and Sawyer and Murphy, JJ.

PER CURIAM.

In these consolidated appeals, respondents Melissa Marie Cobern and Timothy Charles Farr II claim an appeal as of right from the trial court's order terminating their parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. These appeals are being decided without oral argument pursuant to MCR 7.214(E).

There was clear and convincing evidence to support termination of respondents' parental rights pursuant to §§ 19b(3)(c)(i), (g), and (j). MCR 3.977(J); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

The condition that caused the children to come into care was primarily domestic violence. There was sufficient evidence from which the court could conclude that the condition continued to exist at the time of the termination hearing. Neither respondent had adequately addressed the issues of domestic violence and anger management. While respondent-mother participated in the treatment plan, she did not benefit from the services offered. Respondent-mother gained very little insight into domestic abuse, she continued to have a relationship with her abuser, respondent-father, acts of abuse continued throughout the time the children were in care, and when respondent-father was not around respondent-mother had contact with other men who had abused her in the past. At the time of the termination hearing, respondent-mother could not protect herself, let alone her five children, from exposure to domestic violence. With respect to respondent-father, he had not adequately addressed his anger management issues. He refused to participate or complete any of the services offered. While he did attend some parenting classes, he never completed a course because of his various incarcerations. Similarly, respondent-father did not complete a psychological evaluation, which would have identified salient issues. But more importantly, respondent-father never completed an anger management course, and that was the barrier that stood most prominently in the way of reunification efforts. Because respondents did not participate in the services offered, or alternatively benefit from the services they did attend, the trial court did not err when it concluded the issues of domestic violence had not been adequately addressed at the time of the termination hearing. Therefore, the trial court did not err when it found clear and convincing evidence to support termination pursuant to MCL 712A.19b(3)(c)(i), (g), and (j).

Additionally, there was no evidence that, despite the establishment of statutory grounds for termination, termination of parental rights would not be in the children's best interests. Indeed, the evidence clearly demonstrated that the children would be at risk of further injury if returned to respondents' care. The children had been exposed to incomprehensible violence. Continued exposure to such violence, which was inevitable since the issue had not been

adequately addressed, would further compound the damage already inflicted upon the children. All five children were under the age of five. They deserved to have the benefit of a safe, stable, and nurturing environment to facilitate their continued growth and development.

Affirmed.

/s/ Pat M. Donofrio

/s/ David H. Sawyer

/s/ William B. Murphy